

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2511/OF1
2.	Proposed Development:	ERECTION OF GARDEN SUMMER HOUSE IN FRONT GARDEN (3M WIDE X 4M LONG WITH MAXIMUM EXTERNAL HEIGHT OF 2.5M) FINISHED WITH CEDAR CLADDING
3.	Location:	2 WHITE PARK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: SITE AND LOCATION This application relates to 2 White Park, a semi-detached property situated within Whitehaven. The site falls within Whitehaven Conservation Area and benefits from a large front garden. PROPOSAL Planning permission is sought for the erection of a summerhouse in the front garden. The width of the structure will be 4.22 metres and the depth will be 3.22 metres. The outbuilding will have a mono-pitched roof, with an overall height of 2.5 metres and an eaves height of 2.25 metres. It will include patio doors on the front elevation and the windows on the side elevations. The rear elevations will be blank. The walls will be finished in cedar cladding and the roof will be covered with fibreglass resin and the windows are doors will be anthracite grey UPVC.	

RELEVANT PLANNING APPLICATION HISTORY

Planning permission has previously been granted for alterations and extensions to provide new loft extension and ground floor garage, study and utility rooms (ref: 4/12/2342/0F1).

CONSULTATION RESPONSES

Consultees

Whitehaven Town Council – No objections.

Conservation Officer – No objections.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 8 no. properties.

No objections have been received as a result of this consultation.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

Conservation Area Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

ASSESSMENT

The key issues raised by this proposal are the principle of development, its scale and design and the potential impacts on residential amenity and heritage assets.

Principle of Development

The proposed application relates to a residential dwelling within Whitehaven and it will provide a summerhouse in the front garden. Policy DM18 supports extensions and alterations to residential properties subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, DM18 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposed summerhouse will be modest in scale and appropriately sited within the large front garden. The simple appearance and mono-pitched roof are considered to be a suitable design for its use and the proposed natural cedar cladding will blend into the surroundings.

On this basis, the proposal is considered to meet Policies DM10 and DM18.

Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The proposal will be located in the front of the garden, adjacent to the boundary wall and fence. There is only one neighbouring property, no 1 White Park directly behind the proposed summerhouse and no windows will be included on the rear elevation. On this basis, the design is considered to mitigate potential overlooking issues.

The summerhouse will also be modest in height with a maximum height of 2.5 metres and as the design includes a mono-pitched roof, the lower eaves height of 2.25 metres will be adjacent to the boundary, further reducing overshadowing concerns. Under permitted development rights, an

outbuilding could be erected up to 2.5 metres in height along the boundary in the rear garden without the requirement for formal planning permission. This fall-back position is a material consideration in the assessment of this application. As proposed height is the same as what is possible under permitted development in the rear garden, the proposed summerhouse located in the front garden is considered to be satisfactory and therefore the loss of light will not have a significant impact on the neighbouring amenity.

In addition, no neighbours have raised concerns regarding the proposal as a result of the consultation process.

On this basis, the proposal is considered to comply with Policy DM18 and NPPF guidance.

Heritage Assets

Policy ENV4 and DM27 seek to protect the built heritage and maximise the value. DM27 supports development proposals which protect, conserve and where possible enhance the historic and cultural architectural character of the Borough's historic sites and their settings.

The Listed Building and Conservation Areas Act sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 72 of the LBCA requires that in considering whether to grant planning permission for development which affects a conservation area, the Local Planning Authority shall pay "special attention... to the desirability of preserving or enhancing the character of appearance" of the conservation area.

Paragraphs 184 – 202 of the NPPF in respect of heritage include a requirement that when considering the impact of development proposals on designated heritage assets such as a conservation area, great weight should be given to the conservation of the asset's significance; however, less than significant harm should be weighed against the public benefits of a development.

The application site is located within Whitehaven Conservation Area, although it is a secluded area with no historic fabric or character apparent. The existing property is a semi-detached house, likely to be constructed in the 1960s-80s period.

This proposal is for a summerhouse with a simple, modest appearance. Although the Conservation Area Design Guide urges use of timber for windows and doors, the Conservation Officer does not consider that this should apply to a modern summerhouse in a non-historic area, as it might to a Georgian townhouse in the town centre. On this basis, the UPVC windows and doors are acceptable.

The Conservation Officer considered the proposal will entail less than substantial harm to the conservation area, but at a negligible level. The proposed summerhouse will be modest in scale and there appears to be clear benefit entailed in terms of providing additional useable space to the property. The Conservation Officer therefore considered the clear benefits outweigh the less-than-substantial harm and no practical steps could have been taken, in this case to enhance or better reveal the character of the conservation area.

The proposed setting relates to a residential garden of a 1960-80s property and therefore the summerhouse will not have a significant impact on the character and appearance of the conservation

	<p>area. In accordance with the tests set out in the LBCA and the NPPF, the potential harm of the proposed summerhouse is considered to be minor and great weight should be given to the clear benefits of the proposal.</p> <p>On this basis, the Conservation Officer raised no objections to the proposed summerhouse and therefore it is considered to meet Policy DM27(A) and DM27(C), thereby satisfying the duties set out in the LBCA.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed summerhouse is of an appropriate design and will not have any detrimental impacts on the amenities of the adjoining properties and less than significant harm to the character and appearance of the Whitehaven Conservation Area. It represents an acceptable form of development within the front garden of 2 White Park and it accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <ol style="list-style-type: none"> <p>The development hereby permitted must commence before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Location Plan, scale 1:1250 at A4, received 21st December 2020; Existing Block Plan, scale 1:200, received 21st December 2020; Proposed Block Plan, scale 1:200, received 21st December 2020; Proposed Floor Plan and Elevations, drawing reference WP PE 001A, received 21st December 2020; Image of Proposed Building, received 21st December 2020.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p>

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Chloe Unsworth

Date : 12/02/2021

Authorising Officer: N.J. Hayhurst

Date : 12/02/2021

Dedicated responses to:- N/A